

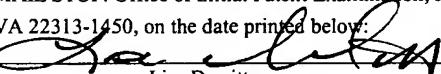


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Shukla, et al.  
SERIAL NO.: 10/765,558  
FILING DATE: January 26, 2004  
TITLE: System And Method For A Topology Map Related To Access Point Usage In A Wireless Network  
EXAMINER: Unassigned  
ART UNIT: 2665

Certificate of Mailing

I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: MAIL STOP: Office of Initial Patent Examination, P.O. Box

1450 Alexandria, VA 22313-1450, on the date printed below:  
Date: 12/14/04 Signature:   
Lisa Dewitt

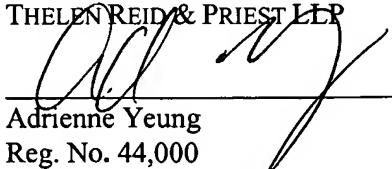
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P.O. Box 1450  
Alexandria, VA 22313-1450

REPLACEMENT OF FILING RECEIPT

We received the attached filing receipt for the above-identified case. It incorrectly identifies "None" under the Power of Attorney. Therefore, please amend the appropriate records to reflect the correct listing of attorneys for the above referenced matter. A power of attorney (attached) was originally submitted on September 16, 2004. Additionally, we submit herewith a document identifying "Patent Practitioners to be made of Record" under 37 C.F.R. §1.32(c)(3) to limit those identified to ten or fewer practitioners. Please amend the Filing Receipt and appropriate records to reflect the appropriate amendments. In addition, applicant request an updated Filing Receipt reflecting the amendments requested.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1698.

Dated: 12/14, 2004

Respectfully submitted,  
THELEN REID & PRIEST LLP  
  
Adrienne Yeung  
Reg. No. 44,000

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P.O. Box 640640  
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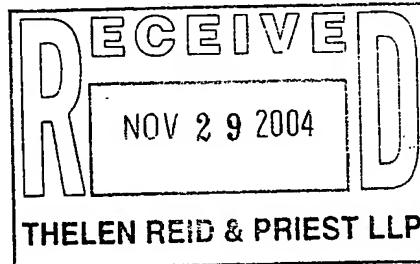


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/765,558	01/26/2004	2665	450	034421-000178	2	2	2

Robert E. Krebs  
 Thelen Reid & Priest, LLP  
 P.O. Box 640640-0640  
 San Jose, CA 95164-0640



CONFIRMATION NO. 8147  
 CORRECTED FILING RECEIPT



\*OC000000014450689\*

Date Mailed: 11/24/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Gajendra Shukla, Sunnyvale, CA;  
 Daniel Yun-Chak Wong, San Jose, CA;  
 Hilton Hong, San Jose, CA;

## Assignment For Published Patent Application

Proxim Corporation, a Delaware Corporation

Power of Attorney: None

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/443,107 01/27/2003

Reviewed By: MP Date: 1a/1/04  
 No Action Required: \_\_\_\_\_  
 Action Required: ✓ PDA

## Foreign Applications

If Required, Foreign Filing License Granted: 05/03/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US10/765,558

Projected Publication Date: 03/03/2005

Non-Publication Request: No

Mail log \_\_\_\_\_ Date \_\_\_\_\_  
 CPI \_\_\_\_\_ Date *NOV 29 2004*  
 Excel \_\_\_\_\_ Date \_\_\_\_\_

**Early Publication Request: No**

**\*\* SMALL ENTITY \*\***

**Title**

System and method for a topology map related to access point usage in a wireless network

**Preliminary Class**

370

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**DECLARATION & POWER OF ATTORNEY**

As below-named inventor, I hereby declare that:

My correct city and state of residence, my post office address and my citizenship are stated below next to my name.

I believe myself to be the original, first and sole inventor (if only one name is listed below) or an original and first joint inventor (if more than one name is listed below) of the subject matter which is disclosed and claimed and for which a patent is sought on the invention entitled:

**"SYSTEM AND METHOD FOR A TOPOLOGY MAP RELATED TO ACCESS POINT USAGE****IN A WIRELESS NETWORK"**

The specification of this subject matter:

- is attached hereto.
- was filed on January 26, 2004;  
was assigned serial No. 10/765,558;  
which was amended on \_\_\_\_\_;

I hereby state that I have reviewed and understand the contents of the above-identified patent application, including the claims, as amended by any amendment(s) referred to above. I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, and that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. §1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

**PRIOR FOREIGN APPLICATION(S)****Priority Claimed**

Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No
Number	Country	Month/Day/Year Filed	Yes	No

**PROVISIONAL PATENT APPLICATION(S)**

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

<u>60/443,107</u>	<u>January 27, 2003</u>
Application Number	Filing Date

**PARENT PATENT APPLICATION(S)**

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in these prior United States application(s) in the manner provided by 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)
Application No.	Filing Date	Status (Issued, Pending, Abandoned)

I hereby appoint David B. Ritchie, Registration No. 31,562; Robert E. Krebs, Registration No. 25,885; Marc S. Hanish, Registration No. 42,626; John P. Schaub, Registration No. 42,125; Adrienne Yeung, Registration No. 44,000; Steven J. Robbins, Registration No. 40,299; Thierry K. Lo, Registration No. 49,097; William Samuel Niece, Registration No.: 47,824; Khaled Shami Registration No. 38,745; William E. Winters, Registration No. 42,232, Masako Ando, (37 C.F.R. §10.9 (b)); Yukiko Maekawa Registration No. 50,307 and John Klaas Uilkema, Registration No. 20,282; Becky L. Troutman, Registration No. 36,703; Hal J. Bohner, Registration No. 27,856; as attorneys of record with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. If this application is assigned by me I agree and understand that the above-named attorneys will represent the assignee and not me.

Please send all correspondence and direct all telephone calls to:

Robert E. Krebs  
Thelen Reid & Priest LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
Telephone: (408) 292-5800  
Facsimile: (408) 287-8040

I, the undersigned, declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing therefrom.

<b>FULL NAME OF FIRST Name INVENTOR 1</b>		<b>MIDDLE Initial(s)</b>	<b>LAST Name</b>	
Gajendra			Shukla	
<b>RESIDENCE AND CITIZENSHIP</b>	<b>City</b>	<b>State or Foreign Country</b>	<b>Country of Citizenship</b>	
POST OFFICE ADDRESS	Sunnyvale	California	India	Zip Code
	1035 Aster Avenue # 1199	Sunnyvale	California	94086
<b>FULL NAME OF FIRST Name INVENTOR 2</b>		<b>MIDDLE Initial(s)</b>	<b>LAST Name</b>	
Daniel		Yun-chak	Wong	
<b>RESIDENCE AND CITIZENSHIP</b>	<b>City</b>	<b>State or Foreign Country</b>	<b>Country of Citizenship</b>	
POST OFFICE ADDRESS	San Jose	California	Canada	Zip Code
	2573 Cordoba Way	San Jose	California	95125
<b>FULL NAME OF FIRST Name INVENTOR 3</b>		<b>MIDDLE Initial(s)</b>	<b>LAST Name</b>	
Hilton			Hong	
<b>RESIDENCE AND CITIZENSHIP</b>	<b>City</b>	<b>State or Foreign Country</b>	<b>Country of Citizenship</b>	
POST OFFICE ADDRESS	San Jose	California	United States	Zip Code
	1314 Petal Way	San Jose	California	95129

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Gajendra Shukla Date

Daniel Yun-chak Wong Date

Hilton Hong Date 8/28/04

<b>FULL NAME OF FIRST Name INVENTOR 1</b>		<b>MIDDLE Initial(s)</b>	<b>LAST Name</b>	
<u>Gajendra</u>			<u>Shukla</u>	
<b>RESIDENCE AND CITIZENSHIP</b>	<b>City</b>	<b>State or Foreign Country</b>	<b>Country of Citizenship</b>	
<b>POST OFFICE ADDRESS</b>	<b>Number and Street</b>	<b>California</b>	<b>India</b>	<b>Zip Code</b>
<u>1035 Aster Avenue # 1199</u>		<u>Sunnyvale</u>	<u>California</u>	<u>94086</u>
<b>FULL NAME OF FIRST Name INVENTOR 2</b>		<b>MIDDLE Initial(s)</b>	<b>LAST Name</b>	
<u>Daniel</u>		<u>Yun-chak</u>	<u>Wong</u>	
<b>RESIDENCE AND CITIZENSHIP</b>	<b>City</b>	<b>State or Foreign Country</b>	<b>Country of Citizenship</b>	
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<u>2573 Cordoba Way</u>		<u>San Jose</u>	<u>California</u>	<u>95125</u>
<b>FULL NAME OF FIRST Name INVENTOR 3</b>		<b>MIDDLE Initial(s)</b>	<b>LAST Name</b>	
<u>Hilton</u>			<u>Hong</u>	
<b>RESIDENCE AND CITIZENSHIP</b>	<b>City</b>	<b>State or Foreign Country</b>	<b>Country of Citizenship</b>	
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<u>1314 Petal Way</u>		<u>San Jose</u>	<u>California</u>	<u>95129</u>

I further declare that all statements made herein of my own knowledge are true and that all statements made upon information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Gajendra Shukla

Date

July 15<sup>th</sup> 2004

Daniel Yun-chak Wong

Date

July 15<sup>th</sup> 2004

Hilton Hong

Date

**37 C.F.R. §1.56**  
**Duty to disclose information material to patentability**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) Prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) The closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

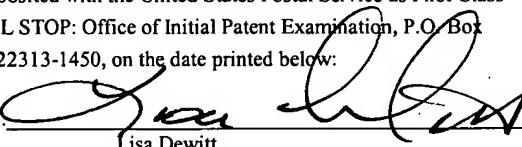
(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**APPLICANT:** Shukla, et al.  
**SERIAL NO.:** 10/765,558  
**FILING DATE:** January 26, 2004  
**TITLE:** System And Method For A Topology Map Related To Access Point Usage In A Wireless Network  
**EXAMINER:** Unassigned  
**ART UNIT:** 2665

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Date: 12/14/04 Signature:  Lisa Dewitt

**MAIL STOP: Office of Initial Patent Examination  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450**

**PATENT PRACTITIONERS TO BE MADE OF RECORD**

Please recognize the following ten patent practitioners in the attached Declaration and Power of Attorney as being of record in the application or patent to which the power of attorney is directed:

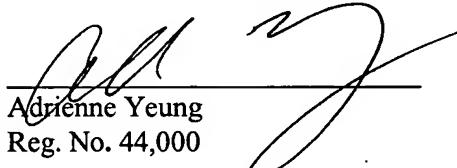
Robert E. Krebs, Reg. No. 25,885  
 Marc S. Hanish, Reg. No. 42,626  
 Thierry K. Lo, Reg. No. 49,097  
 Masako Ando, (37 C.F.R. §10.9 (b))  
 Adrienne Yeung, Reg. No. 44,000

Steven J. Robbins, Reg. No. 40,299  
 John P. Schaub, Reg. No. 42,125  
 William Winters, Reg. No. 42,232  
 Khaled Shami, Reg. No. 38,745  
 Yukiko Maekawa, Reg. No. 50,307

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1698.

Respectfully submitted,  
 THELEN REID & PRIEST LLP

Dated: 12/14, 2004

  
 Adrienne Yeung  
 Reg. No. 44,000

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